



#4

PATENT

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

In re\

Application of

Michael M. O'Toole, Bradley S. Levin, Philip J. Edwards,

Lee L. Xu, Joseph J. Vandenberg and Joseph Markham

Application No. 09/901,293

Group No. Not Yet Assigned

Filed July 9, 2001

Examiner Not Yet Assigned

Optoelectric Module for Multi-Fiber Arrays

Attorney Docket No. 17586A USA

CERTIFICATE OF MAILING

I hereby certify that this correspondence is being deposited with the U.S. Postal Service on September 24, 2002, via First Class Mail in an envelope addressed to: Commissioner for Patents, Washington, DC 20231.

Dated: September 24, 2002

By:

*Lois I Shatz*  
Lois I Shatz

Commissioner for Patents  
Washington, DC 20231

COMMUNICATION IN REPLY TO NOTICE TO FILE MISSING PARTS  
OF NONPROVISIONAL APPLICATION FILED UNDER 37 CFR 1.53(b)

Sir:

In reply to the Patent Office "Notice to File Missing Parts of Nonprovisional Application Filed Under 37 CFR 1.53(b)", dated February 27, 2002, there are enclosed herewith: 1) a Combined Declaration and Power of Attorney document duly executed by Applicant/Inventor Michael M. O'Toole; 2) a Combined Declaration and Power of Attorney document duly executed by Applicant/Inventor Philip J. Edwards; 3) a Combined Declaration and Power of Attorney document duly executed by Applicant/Inventor Lee L. Xu; 4) a Combined Declaration and Power of Attorney document duly executed by Applicant/Inventor Joseph Markham; 5) a copy of the Notice to File Missing Parts of Nonprovisional Application; 6) Petition under 35 U.S.C. §116 and §118 and 37 C.F.R. §1.47(a); and a check in the amount of \$130.00 to cover the cost of the oath or declaration surcharge.

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OFFICE OF PETITIONS

**Petition For Revival Of An Application For Patent Abandoned  
Unintentionally Under 37 CFR 1.137(b) (Large Entity)**

DAC #3  
Docket No.  
17586A USA

In Re Application Of: Michael M. O'Toole, Bradley S. Levin, Phillip J. Edwards, Lee L. Xu, Joseph J. Vandenberg

OCT 01 2002

Serial No.  
09/901,293

Filing Date  
July 9, 2001

Examiner  
Not Yet Assigned

Group Art Unit  
Not Yet Assigned

Invention: Optoelectric Module for Multi-Fiber Arrays

**ASSISTANT COMMISSIONER FOR PATENTS**

Attention: Office of Petitions

Box DAC

Washington, D.C. 20231

NOTE: If information or assistance is needed in completing this form, please contact Petitions Information at (703) 305-9282.

The above-identified application became abandoned for failure to file a timely and proper response to a notice or action by the Patent and Trademark Office. The date of abandonment is the day after the expiration date of the period set for reply in the Office notice or action plus any extension of time actually obtained.

**APPLICANT HEREBY PETITIONS FOR REVIVAL OF THIS APPLICATION**

NOTE: A grantable petition requires the following items:

- (1) Petition fee;
- (2) Reply and/or issue fee;
- (3) Terminal disclaimer with disclaimer fee--required for all utility and plant applications filed before June 8, 1995; and for all design applications; and
- (4) Statement that the entire delay was unintentional.

1. ☒ A proposed reply to the above-identified notice or action:

☒ is enclosed. ☐ was filed on \_\_\_\_\_

The proposed reply is in the form of:

Response to Missing Parts and a  
Petition under 35 U.S.C. Sections 116 & 118 & 37 C.F.R. Sec. 1.47(a)

2. ☐ The issue fee:

☐ is enclosed. ☐ was paid on \_\_\_\_\_

3. ☒ The abandoned application was a:

☐ design application. ☒ utility application. ☐ plant application.

4. ☐ A terminal disclaimer (and fee) disclaiming a period equivalent to the period of abandonment is enclosed.

5. ☒ Since this utility/plant application was filed on or after June 8, 1995, no terminal disclaimer is required.

**Petition For Revival Of An Application For Patent Abandoned  
Unintentionally Under 37 CFR 1.137(b) (Large Entity)**

Docket No.  
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In Re Application Of: Michael M. O'Toole, Bradley S. Levin, Phillip J. Edwards, Lee L. Xu, Joseph J. Vandenberg

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Serial No.  
09/901,293

Filing Date  
July 9, 2001

Examiner  
Not Yet Assigned

Group Art Unit  
Not Yet Assigned

Invention: Optoelectric Module for Multi-Fiber Arrays

**Calculation and Payment of Fees**

Enclosed are the following fees:

6. ☒ Petition fee under 37 CFR 1.17(m) in the amount of: \$1,280.00
7. ☐ Fee for amendment in the amount of: \_\_\_\_\_
8. ☐ Fee for extension of time to respond to Office Action in the amount of: \_\_\_\_\_
9. ☐ Issue fee in the amount of: \_\_\_\_\_
10. ☐ Continuing application filing fee in the amount of: \_\_\_\_\_
11. ☐ Terminal disclaimer fee in the amount of: \_\_\_\_\_
12. ☐ \_\_\_\_\_

Total fees enclosed: \$1,280.00

The fee of **\$1,280** is to be paid as follows:

- ☒ A check in the amount of the fee is enclosed.
- ☒ The Commissioner is hereby authorized to charge any fees which may be required, or credit any overpayment, to Deposit Account No. 19-5425
- A duplicate copy of this sheet is enclosed.

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OFFICE OF PETITIONS

**Petition For Revival Of An Application For Patent Abandoned  
Unintentionally Under 37 CFR 1.137(b) (Large Entity)**

Docket No.  
17586A USA

In Re Application Of: **Michael M. O'Toole, Bradley S. Levin, Phillip J. Edwards, Lee L. Xu, Joseph J. Vandenberg  
and Joseph Markha**

Serial No.  
09/901,293

Filing Date  
July 9, 2001

Examiner  
Not Yet Assigned

Group Art Unit  
Not Yet Assigned

Invention: **Optoelectric Module for Multi-Fiber Arrays**

**Statement**

The entire delay in filing the required reply from the due date for the required reply until the filing of a grantable petition under 37 CFR 1.137(b) was unintentional.

  
Signature

Dated: 

**Stephen J. Driscoll**  
Registration No. 37,564  
The Whitaker Corporation  
4550 New Linden Hill Road  
Suite 450  
Wilmington, DE 19808  
Telephone: 302-633-2763  
Facsimile: 302-633-2776

I certify that this document and fee is being deposited  
on **09/24/2002** with the U.S. Postal Service as  
first class mail under 37 C.F.R. 1.8 and is addressed to the  
Assistant Commissioner for Patents, Washington, D.C.  
20231.

  
Signature of Person Mailing Correspondence

**Lois Shatz**

Typed or Printed Name of Person Mailing Correspondence

CC:



## UNITED STATES PATENT AND TRADEMARK OFFICE

COMMISSIONER FOR PATENTS  
UNITED STATES PATENT AND TRADEMARK OFFICE  
WASHINGTON, D.C. 20231  
www.uspto.gov

APPLICATION NUMBER	FILING/RECEIPT DATE	FIRST NAMED APPLICANT	ATTORNEY DOCKET NUMBER
09/901,293	07/09/2001	Michael M. O'Toole	17586A USA

CONFIRMATION NO. 2795

## FORMALITIES LETTER



\*OC000000006465772\*

The Whitaker Corporation  
Suite 450  
4550 New Linden Hill Road  
Wilmington, DE 19808



Date Mailed: 08/23/2001

## NOTICE TO FILE MISSING PARTS OF NONPROVISIONAL APPLICATION

FILED UNDER 37 CFR 1.53(b)

*Filing Date Granted*

An application number and filing date have been accorded to this application. The item(s) indicated below, however, are missing. Applicant is given **TWO MONTHS** from the date of this Notice within which to file all required items and pay any fees required below to avoid abandonment. Extensions of time may be obtained by filing a petition accompanied by the extension fee under the provisions of 37 CFR 1.136(a).

- The oath or declaration is missing.  
*A properly signed oath or declaration in compliance with 37 CFR 1.63, identifying the application by the above Application Number and Filing Date, is required.*
- To avoid abandonment, a late filing fee or oath or declaration surcharge as set forth in 37 CFR 1.16(e) of \$130 for a non-small entity, must be submitted with the missing items identified in this letter.
- **The balance due by applicant is \$ 130.**

*A copy of this notice **MUST** be returned with the reply.*

Customer Service Center  
Initial Patent Examination Division (703) 308-1202

PART 2 - COPY TO BE RETURNED WITH RESPONSE

10/02/2002 RWDNDAF1 00000094 09901293

02 FC:105

130.00 09

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OFFICE OF PETITIONS